

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division  
In Admiralty**

In the Matter of COEYMANS MARINE TOWING, LLC D/B/A CARVER MARINE TOWING as Owner and Operator of M/T Mackenzie Rose, (IMO No. 8968765) her cargo, engines, boilers, tackle, equipment, apparel, and appurtenances, etc., *in rem*, ("M/T MACKENZIE ROSE"), petitioning for Exoneration from or Limitation of Liability in allision with Belt Line Main Line Railroad Bridge (the "Bridge") occurring June 15, 2024 in and about the Elizabeth River, Virginia.

**Civil Action No: 2:24-cv-00490**

**PETITIONER'S MOTION FOR SUMMARY JUDGMENT**

Now comes the Petitioner in Limitation, Coeymans Marine towing, LLC, d/ b/a Carver Marine Towing ("Carver"), by and through its undersigned counsel pursuant to Fed. R. Civ. P. 56 and Local Rule 56 and moves for summary judgment on its Claims in this case and the Petition for Exoneration or Limitation of Liability.

As set forth in the accompanying memorandum, Carver is entitled to judgment as a matter of law on its Claims. Carver is entitled to limit its liability, as that an admitted navigational error cannot be imputed to Carver as the vessel owner, and there, Carver had no privity of knowledge as to this navigational error made by a duly-qualified pilot.

WHEREFORE, Coeymans Marine towing, LLC, d/b/a Carver Marine Towing respectfully requests that this Court:

- (1) Grant summary judgment in its favor that Carver is entitled to limit its liability in an amount to be proven at trial;
- (2) Award the Belt Line and Evanston all other just and necessary relief.

**Dated: September 2, 2025**

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 2, 2025, a true and correct copy of the foregoing document was filed using the Court's CM/ECF system, which will serve all counsel of record by electronic mail as follows:

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